

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

WELLS FARGO BANK, NATIONAL ASSOCIATION, AS
TRUSTEE FOR THE BENEFIT OF THE REGISTERED
HOLDERS OF UBS COMMERCIAL MORTGAGE TRUST
2018-C11, COMMERCIAL MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2018-C11,

Case No. 1:23-cv-07367-DEH

Plaintiff,

-against-

45 WEST 28TH, LLC; 47 W 28TH STREET, LLC; 51-55 W
28TH STREET, LLC; 49 W 28TH STREET, LLC; EAST
COAST PETROLEUM, INC.; ROCKWAY FUEL OIL CORP.;
CITY OF NEW YORK ENVIRONMENTAL CONTROL
BOARD; NEW YORK BUREAU OF HIGHWAY
OPERATIONS; SGR TRUST PURSUANT TO THE TRUST
AGREEMENT DATED JUNE 14, 2011 MADE BY
SHOSHANA LEVY, AS GRANTOR BY AND THROUGH
ITS TRUSTEE, ERIC GOLDBERG; GALIT LEVY;
RAFAELA LEVY; and JOHN DOE NO. I THROUGH JOHN
DOE NO. XXX, inclusive, the last thirty names being fictitious
and unknown to plaintiff, the persons or parties intended being
the tenants, occupants, persons or corporations, if any, having or
claiming an interest in or lien upon the premises described in
the complaint,

Defendants.

ORDER GRANTING MOTION TO DISMISS WITHOUT PREJUDICE

This matter comes before the Court on the Motion to Dismiss Without Prejudice (the “**Motion**”), filed by Plaintiff Wells Fargo Bank, National Association, as Trustee for the Benefit of the Registered Holders of UBS Commercial Mortgage Trust 2018-C11, Commercial Mortgage Pass-Through Certificates, Series 2018-C11 (“**Plaintiff**”). The Court, having considered the Motion, and Plaintiff having entered into an agreement with Defendants 45 West 28th LLC, 47 W 28th Street, LLC, 51-55 W 28th Street, LLC, and 49 W 28th Street, LLC to reinstate the mortgage

loan that is the subject of this action, and being duly advised in the matter, finds the Plaintiff's Motion is GRANTED, and the above-captioned case is dismissed without prejudice.

IT IS SO ORDERED.

Dated: February 7, 2024

A handwritten signature in black ink, appearing to read "Dale Ho", is written over a horizontal line.

HON. DALE E HO
U.S. DISTRICT COURT JUDGE
New York, New York